



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

March 17, 2020

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

46 March 31, 2020

CELIA ZAVALA
EXECUTIVE OFFICER

Dear Supervisors:

**TRANSPORTATION CORE SERVICE AREA
COUNTY LANDSCAPING MAINTENANCE DISTRICTS
LANDSCAPING AND LIGHTING ACT DISTRICTS 1, 2, AND 4
ANNUAL ASSESSMENT PROCEDURE – FISCAL YEAR 2020-21
(SUPERVISORIAL DISTRICTS 1, 3, 4, AND 5)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to adopt a resolution initiating proceedings to levy the annual assessments for landscape maintenance purposes in Landscaping and Lighting Act Districts 1, 2, and 4 and zones therein pursuant to the California Streets and Highways Code.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the action is categorically exempt from the provisions of the California Environmental Quality Act for the reasons stated in this letter and in the record of the project.
2. Designate the Director of Public Works or his designee as the Engineer for purposes of implementing this procedure.
3. Adopt the resolution instructing the Director of Public Works or his designee to prepare and file the Engineer's Report for the annual levy of assessments for Fiscal Year 2020-21 pursuant to Chapter 1, Article 4, of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California (commencing with Section 22565) and Section 4(b) of Article XIII D of the California Constitution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to adopt the enclosed resolution initiating proceedings and for the Director of Public Works to prepare the annual Engineer's Report for the levying of annual assessments for landscape maintenance purposes for all zones within the Landscaping and Lighting Act of 1972 (LLA) Districts 1, 2, and 4.

On July 12, 1979; August 10, 1995; and July 22, 1997; the Board approved the formation of LLA Districts 1, 2, and 4 and zones therein, respectively, pursuant to provisions of LLA, Part 2 of Division 15 of the Streets and Highways Code of California, Section 22500 et. seq. in order to collect assessments to pay for the costs of maintaining landscaping benefiting the subject properties.

This action is only to initiate the annual process for levying assessments and does not establish any assessment rates. In accordance with Proposition 13, assessments cannot be based on property values. Each LLA district and zone therein is obligated to establish a benefit formula by which assessments are set according to the benefit received from the service or improvement, as set forth in an Engineer's Report.

As the governing body, the Board of Supervisors is responsible for approving the levying of annual assessments for landscape purposes. Board adoption of the resolution initiating proceedings initiates the annual assessment process for the renewal or increase of existing annual assessments and the establishment of new assessments for Fiscal Year (FY) 2020-21.

Once the Engineer's Report is complete, Public Works will return to the Board for approval of a resolution of intention in accordance with the California Streets and Highways Code Section 22624, setting the public hearing date to establish the assessments for FY 2020 21 pursuant to the LLA.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability. The recommended action ensures the continuation of services to maintain the landscaped areas and appurtenant improvements that benefit those who live within the LLA districts and zones.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

All services administered by Public Works and provided in the LLA districts and zones therein are funded by the assessments established by the Board. The forecasted assessments based on the existing rates will generate approximately \$5.9 million in total revenue in LLA Districts 1, 2, and 4 and zones therein for FY 2020-21.

Funding for the preparation of the annual Engineer's Report is included in the Landscape Maintenance Districts and LLA Districts Fund FY 2019-20 budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The LLA sets forth procedures that must be followed for any fiscal year during which assessments levied in a prior fiscal year are to be continued. Section 22622 of the California Streets and Highway Code requires the Board to adopt an initial resolution (the resolution initiating proceedings) that generally describes any proposed improvements or substantial changes in existing improvements and ordering the Engineer to prepare and file an Engineer's Report in accordance with Section 22565 of the California Streets and Highways Code.

Public Works will return to the Board with a recommendation to file and approve the Engineer's Report and to approve a resolution of intention to initiate proceedings in accordance with the California Streets and Highways Code Section 22624. This will set the public hearing date to establish the assessments for FY 2020-21 pursuant to the LLA. Any new or increased assessments must also comply with the requirements of Proposition 218, set forth in Article XIII D of the California Constitution, and Government Code Section 53753, which require the Board to give the affected property owners mailed notice and ballots regarding any proposed new or increased assessment and hold a public hearing to receive ballots in support of or opposition to the proposed new or increased assessment for tabulation.

The resolution has been approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

The project is categorically exempt from the California Environmental Quality Act. The project consists of initiation of proceedings for the levying of annual assessments for landscape maintenance purposes and is within certain classes of projects that have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Sections 15301(h) and 15306 of the State California Environmental Quality Act Guidelines and Classes 1(x)(27) and 6 of the Environmental Document Reporting Procedures and Guidelines, Appendix G, because the project involves information collection for the LLA districts and zones and also maintenance of existing landscaping.

The proposed project includes no expansion of an existing use and will not involve the removal of healthy, mature trees. Additionally, the proposed project will not cause a substantial adverse change in the significance of a historic resource; is not in a sensitive environment; and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption inapplicable based on the proposed project records.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of this action will cause no impact on current services or programs.

CONCLUSION

Please return one adopted copy of this letter and a copy of the signed resolution to Public Works, Traffic Safety and Mobility Division. Also, please forward one adopted copy of the letter and resolution to the Assessor, Ownership Services Section, and one to the Auditor-Controller, Tax Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella". The signature is fluid and cursive, with the first name "Mark" and last name "Pestrella" clearly distinguishable.

MARK PESTRELLA

Director

MP:EKT:dj

Enclosures

c: Chief Executive Office (Chia-Ann Yen)
County Counsel (Julia Weissman)
Executive Office

**BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
RESOLUTION INITIATING PROCEEDINGS
FOR THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR
COUNTY LANDSCAPING AND LIGHTING ACT DISTRICTS 1, 2, AND 4
AND ZONES THEREIN FOR THE 2020-21 FISCAL YEAR;
AND ORDERING THE PREPARATION OF THE ANNUAL ENGINEER'S REPORT**

WHEREAS, on July 1979; August 10, 1995; and July 22, 1997; the Board of Supervisors of the County of Los Angeles approved the formation of Landscaping and Lighting Act (LLA) Districts 1, 2, and 4, respectively, for the purpose of providing funds for the operation of the LLA districts and zones therein within Los Angeles County pursuant to provisions of the Landscaping and Lighting Act of 1972 (the Act), Section 22500 et. seq. of the California Streets and Highways Code; and

WHEREAS, within the LLA District 1 there are three (3) established, separate zones, within the LLA District 2 there are seventeen (17) established, separate zones, and within LLA District 4 there are twelve (12) established, separate zones; and each zone consists of territory that receives substantially similar and proportional special benefits from the improvements provided in the zone; and

WHEREAS, each of the three (3), seventeen (17), and twelve (12) zones within LLA Districts 1, 2, and 4, respectively, retain separate budgets, trust accounts, and unit numbers established by Los Angeles County Auditor-Controller; and

WHEREAS, the Board previously approved the formation of LLA districts and zones therein for the purpose of providing funds for landscape maintenance services located therein pursuant to the Act; and

WHEREAS, the Board hereby proposes to levy annual assessments for existing LLA Districts 1, 2, and 4 and zones therein, and to levy and collect assessments against the lots and parcels of land within such LLA districts and zones therein to pay for the costs and expenses of the landscape improvements for the fiscal year commencing July 1, 2020, and ending June 30, 2021, pursuant to the Act; and

WHEREAS, the general location and boundaries of the LLA Districts 1, 2, and 4 and zones therein are shown on maps on file in the office of Los Angeles County Public Works and are incorporated herein by reference and open to public inspection; and

WHEREAS, provisions of the Act require the Board to adopt a resolution initiating proceedings, to generally describe any proposed improvements or substantial changes in existing improvements and to order the Engineer to prepare and file an Engineer's Report in accordance with Sections 22565 and 22605 of the Act and Article XIII D of the California Constitution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles:

Section 1. That the Board proposes to establish assessments for landscape maintenance purposes for Fiscal Year 2020-21 pursuant to the provisions of the Act, to be used for the maintenance, repair, replacement, and upgrades to planted and irrigated slopes, turf areas, parkway panels, medians, automated irrigation system components, and related appurtenances within LLA Districts 1, 2, and 4 and zones therein, in compliance with the procedures set forth in the Act.

Section 2. That the Director of Public Works or his designee is hereby ordered to prepare and file the Engineer's Report in accordance with Sections 22565 and 22605 of the Act and Article XIII D of the California Constitution.

The foregoing Resolution was adopted on the 31st day of March 2020, by the Board of Supervisors of the County of Los Angeles and ex-officio of the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.



CELIA ZAVALA
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By *Maria Olea*
Deputy

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By *Julia Wesson*
Deputy